Cherry

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of MONTE J. BAUER,

Docket No. 3665 ORDER

Respondent.

THIS MATTER having come on for final hearing on November 4, 1930 before Jeffrey P. Larson, Hearing Officer for the Department of Insurance, and the Department being represented by Michael W. Sillyman, Assistant Attorney General, and the Respondent appearing in person and by his counsel, Raymond D. Morgan, and testimony and evidence having been submitted,

The Director finds and concludes as a matter of law that the complaints lodged against the Respondent are a result of mutual mistake regarding the terms of the agreement pursuant to which the Respondent would adjust and settle claims.

IT IS THEREFORE ORDERED:

- 1. The Respondent, Monte J. Bauer, shall reimburse Richard Nave the amount of the fee collected pursuant to the settlement of Mr. Nave's claim.
- 2. The Respondent shall not employ an adjuster trainee for a period of one (1) year from the date of this Order.
- 3. The Respondent shall not permit any employee to make misrepresentations regarding any contract to adjust, negotiate or settle claims.
- 4. Because good cause exists therefor this Order shall become effective immediately.

DATED this 26th day of November, 1980.

J. MICHAEL LOW

Director of Insurance

Copies of the foregoing mailed this 25% day of November, 1980, to:

Michael W. Sillyman Assistant Attorney General 200 State Capitol Building Phoenix, Arizona 85007

G. W. Wilson, Consumer Affairs Division Robert Church, Supervisor of Licensing Arizona Department of Insurance 1601 West Jefferson Phoenix, Arizona 35007

Kevin Malone c/o Maricopa County Assessor's Office 111 South Third Avenue Phoenix, Arizona 85003

Raymond E. Morgan, Attorney 818 East Osborn, Road, Suite 212 Phoenix, Arizona 85014

Monte J. Bauer 11036 North 28th Drive Phoenix, Arizona 85029

Mary E Powell